

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NOUHOU CONDE,

Plaintiff,

- against -

ORDER

UNITED STATES OF AMERICA, UNITED STATES 19 Civ. 8506 (NRB)
POSTAL SERVICE, and JAMAL M. ABDUS-SABUR,

Defendants.

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

WHEREAS, on September 12, 2019, plaintiff filed this complaint seeking to recover damages for personal injuries and \$5,566.00 of property damage, ECF No. 1; and

WHEREAS, on February 18, 2021, defendants filed motions for summary judgment and to exclude the expert testimony of Dr. Mark McMahon, ECF No. 22; and

WHEREAS, on August 13, 2021, the Court entered a Memorandum and Order granting defendants' motion for summary judgment and motion to exclude Dr. McMahon's testimony, ECF No. 35, which ruling precluded plaintiff's recovery for personal injuries, id. at 12; and

WHEREAS, in footnote 18 of the August 13, 2021 Memorandum and Order, this Court instructed plaintiff to notify the Court within two weeks if he intended to pursue the property damage claim

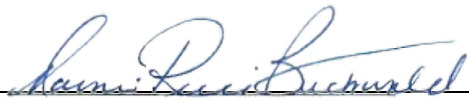
alleged in the complaint, id. at 36-37; and

WHEREAS, plaintiff has not notified the Court of any intention to pursue the property damage claim; it is hereby

ORDERED that plaintiff's complaint is dismissed in its entirety with prejudice, and it is further

ORDERED that the Clerk of Court file an Amended Judgment consistent with this Order.

Dated: New York, New York
September 29, 2021



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE